

ORIGINAL The United States District Court
For The District Of Delaware

United States Of America) CR 05-29

Vs,

Ronald G. Johnson

Criminal Action No. CR 05-29
Related Case: Mapp v. Ohio 367 U.S. 644
Present Address: Ronald G. Johnson #182421
P.O. Box 9561, Wilmington, DE 19803



"1) Motion To Dismiss Charges Of Violation Of Probation

Comes Now, The Defendant and Movant and Motion and Moves this Honorable Court to Dismiss the Charges Of Violation Of Probation Charges. In Support thereof Defendant, Movant assert the following.

2) Related Cases and Authorities

a) Mapp v. Ohio 367 U.S. 644, 4th Amendment

b) Weeks v. United States 232 U.S. 383, 34 S.Ct 341, 58 LEd 652

In the two cases above evidence obtain by illegal search and seizure is inadmissible in "State or Federal Court"

c) Fruit-of-The - Poisonous Tree - Doctrine, Criminal Procedure.

The rule that evidence derived from and illegal search, arrest or interrogation is inadmissible because the evidence (the fruit) was tainted by the illegality (the "Poisonous Tree") Under this rule of inadmissible if the map showing location of Drugs ~~was~~ was seized during a illegal search both the Drug and the map would be inadmissible in State and Federal Courts.

Statement OF The Fact

3.) Request Dismissal OF Violation OF Probation Charge

a.) The United States Attorney and the United States Probation OFFicer is trying to find me guilty OF Charges and evidence that was Dismissed in State Court.
" Lack OF Evidence "

4.) Why State Charges Was Dismissed

a.) The Charges OF the State OFFicer was Dismissed on three different level, elements and Causes

5.) 1. Causes

a.) The OFFicer charges was Dismissed because I Prove I was Factually and Accoally Innocent. I Use their own police Reports before thial and Showed that it was impossible For me to have Committed any offense

2. Cause

b.) I had the OFFicer Charges Dismissed on these grounds That I was InCompotent or InSane at the time OF the accuse offense

3 Cause

c.) The Charges was also Dismiss because the OFFicer Violated my 4th and 14th Amendment Constitutional Right. Illegal Search and Seizure

Fruit - OF - The - Poisonous Tree - Doctrine, And
The Exclusionary Rules. "They kicked in my home door
With-out a warrent or Search warrent"

6) Suppression OF Evidence At The Probation
" Violation Hearing "

a.) The Defendant at this time Move the Court
to Suppress the evidence of the U.S. Attorney
and the U.S. Probation OFFicer on the grounds
that the evidence that intend to use has been
Suppressed in State Court. The same Law applies to
the Federal Courts and "this Court".

" Conclusion "

b.) The Defendant present to the Court the Fact
that even if I had Committed a offense it would
be inadmissible in Court- as it was inadmissible
in State Court.

7) " Statement OF The Facts "

The OFFicers kicked in my door With-out a
warrent or Search warrent. That's one of the reason
their evidence was inadmissible in Court. The same
Law and Rule applies to this Court.

Therefore the Defendant Moves this Court
to Dismiss all of the Claim of the Violation
OF Probation Charges.

8.) Request For A Suppression Hearing
On Same Day OF Probation Violation Hearing."

Come Now the Defendant and Moves the Court to set my Probation Violation Hearing along with my Suppression Hearing. The day already set for Probation Violation Hearing will be appropriate for both.

9.) Evidence To be Suppressed

a.) I want to Suppress any and all evidence of or related to officer charges. It the Fruit of a illegal Search and Seizure.

b. I want to Suppress any Written Statement I might have to the Probation Officer. It was Claimed and or might was Considered that the U.S. Probation Officer would use a letter I Sent as evidence in this Probation Violation Hearing.

10.) Violation OF 5th Amendment Re; Self Incrimination"

It would be self incrimination to use my own written Statement against me. It also would be Suppress because I did not have a attorney, Nor was my own attorney at the time of the written statement.

" Administrative Notice "

Honorable Judge Kent A. Jordan You have bias and prejudice me on many occasions. Which if any adverse effect continues to damage me I will seek help from Washington D.C.

You Denied numerous Petitions Filed in this Court that I can prove I was entitle to the relief those relevant are on Appeal now.

AT Arraignment For These Violation OF Probation Charge

At My arraignment April 24, 2006 Today, The Magistrate Judge today came in and said everything you told her to say. She made clear that she was not to Dismiss my Charges Per Your request. Everything she did was already set out and Planned. That bring to my mind "Conspiracy" To violate Rights a Violation of Title 18 USC 241. To try to get me Convict of Charge knowing that I should not be. Bring to mind Title 18 USC 242.

The Magistrate already knows that my Charges was Dismissed in State Court and the likelihood of getting a Conviction for Violation of Probation is almost totally unlikely. Yet Per Your instruction she was not to Dismiss the Charges.

The Magistrate enter a attorney to my Case Per Your instructions, In Violation of my Federal Civil Constitutional Rights. See: *Faretta v. California* 422 U.S. 806, 95 S.Ct 2525 46 L.Ed 2d 562 (1975)

In the over 20 years of representing myself Judges has Violated people Constitution Right in two way, By the Public Defenders against their wills, Who sold them out. Every time in my life they tried to sell me out except once. You take the Counsel they appointed for me and excuse him from being my attorney, Put him with the prosecutor I like my enemies on the opposit side. The other is to Stop Defendants From Filing Motions.

For The Record

The Deputies and officers told me that the or my U.S. Probation Officer was in the Chamber with the Magistrate before our Hearing. Which was a violation. There was nothing said by the U.S. Probation Officer or the U.S. Attorney at all. Because they had already talk in their chambers, Maybe you was there.

Conspiracy To Violate Rights

Keep in mind not everyone is Corrupt and if the U.S. Attorney General John Ashcroft of Washington D.C. question them in regard to Criminal Charges they would Fold.

Re: To Probation Officer Craig H. Carpenter

I So far has found him a just man. It's interesting to see if he is going to assist in Convicting a innocent man.

"I Fear For My Life And Well Being"

Because of what I seen as Fraud the Denying of my Petitions and the things you have done make me Fear for my life and

well being. You want a Hearing to see if you can Convict and man and punish him after he has been Found(^{Not} guilty) in State Court. The Magistrate made that Statement. The probation officer did not object to my request to Dismiss the Charge the magistrate did.

" Request Reconsideration "

I request reconsideration of my Motion to Dismiss Charges because they was Dismiss by State Court.

" Concluding "

As long as your are a threat to me, I will be keeping track of your every Violation. And seeking help.

" Conclusion "

For the reason set forth in my Motion Defendant seeks Dismissal of the Violation OF Probation Charges. Mainly the evidence the Probation OFFicer wish to use is the product of a illegal Search and seizure and was found to be inadmissible in State Court and should not be allow in this Court on the same grounds.

" Certificate OF Service "

The Original and 4 Copies was sent to this Court and a Copy was sent to my U.S. Probation OFFicer. And Lastly a Copy was sent to the United States OF America, Attorney Generals OFFice.

Oath And AFFidavit : I Declare the above true under penalty of perjury
Declared April 24, 2006, signed Ronald Delin

PROB 12
(Rev 02/94)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Ronald G. Johnson

Defendant.

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Criminal Action No. CR05-29

Petition on Probation and Supervised Release

COMES NOW Craig H. Carpenter Probation Officer of the Court presenting an official report upon the conduct and attitude of Ronald G. Johnson, who was placed on supervision by the Honorable Norman K. Moon, sitting in the court at Lynchburg, Virginia on the 14th day of March, 2002, who fixed the period of supervision at 3 years, and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

Please See Attached

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR CAUSE AS FOLLOWS:
(If short insert here; if lengthy write on separate sheet and attach)

Please See Attached

PRAYING THAT THE COURT WILL ORDER...a warrant for the arrest of Ronald G. Johnson, so he can be brought before the Court on charges of violation of supervised release. On May 2, 2005, the U.S. District Court, District of Delaware, assumed jurisdiction of this case from the Western District of Virginia.

ORDER OF COURT

So ordered this 24th
day

of May 27 2005.

Curt D. Jordan
U. S. District Judge

I declare under penalty of perjury the foregoing is true and correct.

Craig H. Carpenter
Senior U.S. Probation Officer

Place Wilmington, DE

Date May 19, 2005

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RE: Ronald G. Johnson

Petition on Violation of Supervised Release

CR05-29

May 19, 2005

Special Conditions of Supervision

1. The defendant shall pay any special assessment and restitution that is imposed by this judgement. The defendant was ordered to pay \$20,521.80 to the Internal Revenue Service.
2. The defendant shall provide the probation officer with access to any requested financial information.
3. The defendant shall not incur new credit charges or open additional lines of credit without the approval of the probation officer.
4. The defendant shall participate in a program of testing and treatment for substance abuse, as directed by the probation officer.
5. The defendant shall participate in a mental health program, as directed by the probation officer.
6. The defendant shall not possess a firearm or destructive device and shall reside in a residence free of firearms and destructive devices.
7. The defendant shall submit to a warrantless search and seizure of person and property by the probation officer, to determine the defendant is in possession of firearms or illegal controlled substances.

Petition for Action: Cause for Violation(s) of Supervised Release

Mandatory Condition of Supervision: The defendant shall not commit another federal, state or local crime.

Evidence: On April 16, 2005, the defendant was arrested by the New Castle County Police Department and charged with offensive touching of a law enforcement officer or ambulance attendant (2 cts), resist arrest, menacing, offensive touching, unlawful imprisonment first degree and possession of a deadly weapon during the commission of a felony. The defendant is in the custody of the State of Delaware, Department of Correction, in lieu of bond.

